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9 FIDELITY CAPITAL FUNDING, INC.

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

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11 WASHINGTON MUTUAL BANK, a federal) CASE NO. CV 08 1407 EMC
12 savings bank, as successor at law to Long Beach)
13 Mortgage Company,)
14 Plaintiff,) STIPULATION
15 v.) Action Filed: March 12, 2008
16 FIDELITY CAPITAL FUNDING, INC., a)
17 California corporation)
18 Defendant.)

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1 Plaintiff WASHINGTON MUTUAL BANK, as successor at law to Long Beach Mortgage
2 Company, and Defendant FIDELITY CAPITAL FUNDING, INC., hereby stipulate that defendant
3 Fidelity Capital Funding, Inc. shall have up to, and including, April 28, 2008 to file its response to the
4 Complaint in this action.

5 It is so agreed:

6 DATED: April 23, 2008

WASHINGTON MUTUAL BANK

7 By

8
9 NOEL S. JOHNSON
10 Office of the General Counsel
11 WASHINGTON MUTUAL BANK

12
13 DATED: April 21, 2008

LEWIS BRISBOIS BISGAARD & SMITH LLP

14 By

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16 WILLIAM P. BURANICH
17 Attorneys for Defendant
18 FIDELITY CAPITAL FUNDING, INC.

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